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E.O. 12958: N/A

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SUBJECT: Haiti: UK and Canadian Donor Plans for Corrections Sector

¶1. (SBU) SUMMARY: NAS met on February 11 with officials from the United Kingdom's Department for International Development (DFID) and Canada's Stabilization and Reconstruction Task Force (START), to discuss corrections sector development plans in the wake of the January 12 earthquake in Haiti. DFID's efforts will be limited to short-term and low cost projects, whereas START has reprioritized ongoing projects and will be increasing long term development investments in Haiti. It is clear that the donor community needs to coordinate and propose a consolidated corrections sector recovery plan for the Government of Haiti's (GOH) approval. END SUMMARY.

Prison Capacity

¶2. (U) At present, sufficient prison capacity remains available in Haiti. As a result of the earthquake, 5,133 prisoners escaped out of a total national prison population of 8,535. The majority of prisoners escaped from the National Penitentiary, with a total of 4,215 escapees. In addition, Delmas lost 290, Arcahaie 253, Carrefour 180, Coteau 74, Jacmel 73, Les Cayes 38, and St. Marks 10. As of February 12, the HNP reports that it has captured 100 of these escaped prisoners. In Port-au-Prince, both the United Nations Stabilization Mission in Haiti (MINUSTAH) and an INL-sponsored prisons assessment team have determined that the Petion Ville and Carrefour prisons remain functional. Less extensive repairs at the Delmas and Arcahaie prisons should return capacity to pre-earthquake levels. The National Penitentiary, however, will require significant long term repairs, although the infirmary and isolation wards remain structurally sound.

UK DFID Plans

¶3. (SBU) On February 11, NAS met with Mark Etherington and Michael Boyle, corrections sector representatives from the United Kingdom (UK) currently seconded to DFID for a short term mission in Haiti. (NOTE: The UK covers Haiti out of its Embassy in the Dominican Republic. END NOTE.) Etherington explained that the UK has allocated 700,000 USD for emergency assistance to the Haitian corrections sector, and noted that DFID does not anticipate an increase in long term assistance, as the UK has few national interests in Haiti.

¶4. (SBU) According to Etherington, Haiti's Director of Prison Administration (DAP), Jean-Roland Celestin, requested that the UK evaluate the feasibility of restoring the National Penitentiary, Delmas, Arcahaie, and a building in Gonaives to functional prison capacity. The UK confirmed with MINUSTAH that these also reflected priorities agreed upon between the GOH and MINUSTAH. Both the UK and NAS are surprised by the proposal for Gonaives, as it requires seizing a house from a criminal incarcerated in the U.S., and then converting it into a detention facility. DFID has already determined that the project is beyond its means, and questions the viability of the project. DFID's budget would also be insufficient to take on repairs at the National Penitentiary.

¶5. (SBU) DFID is currently evaluating a way forward, and is

considering sending 2-4 UK experts for six months to work directly with the DAP. DFID's tentative plan is to propose a bilateral Memorandum of Understanding (MOU) with the GOH. DFID would incorporate language into the MOU which would prohibit the GOH from returning to pre-earthquake levels of prison overcrowding. DFID only plans to work on two or three prison facilities in order to rebuild to a level of pre-earthquake capacity, and believes that its funding would be best suited for the quick repairs required at Arcahaie and Delmas. With remaining funds, DFID would propose enhancements to sanitation, water, and prison layout. Alternatively, DFID may elect to channel funding through the Pan-American Development Foundation (PADF), should PADF have any remaining capacity in country in addition to its other earthquake recovery projects.

Canada's START to Increase Budget

¶6. (SBU) Also on February 11, NAS met with Joel Monfils, director of Canada's START program in Haiti. Monfils noted that his assistance budget would be increasing, starting with Canada's next fiscal year beginning in April. Currently the START budget is at 15M, but will increase to 25M, and then to 30M each year for the two subsequent fiscal years. START funding for the last quarter of their current fiscal year remains on hold as Canada reprioritizes assistance. (NOTE: This budget increase will not be solely allocated to the corrections sector. The Government of Canada (GOC) is still evaluating the final line item divisions between different sectors. END NOTE.)

Croix-des-Bouquets Prison Project

¶7. (U) Construction of the 750-inmate prison at Croix-des-Bouquets, sponsored by START and implemented by the International Organization for Migration (IOM), remains on track, according to Monfils. Only minor superficial damage to the perimeter wall and wall foundation has been observed, and no damage to buildings has been discovered. The IOM supports this finding, but START is awaiting the final assessment of a structural engineering team which will visit the week of February 15. The IOM will resume construction on the project as soon as the GOC gives it notice to proceed. Monfils anticipates that the prison will come online in May or June, providing Haiti with an additional prison capacity for 750 inmates.

¶8. (SBU) According to Monfils, START is "taking a very hard second look at building extra capacity," given the large loss of capacity at the National Penitentiary. Monfils noted that prior to the earthquake, DAP and MINUSTAH were both pressuring START to increase the size of the Croix-des-Bouquets project. Currently, the project has two double-story and two single-story buildings. The single-story buildings are strong enough to support an additional level. START originally resisted the idea to increase capacity in an effort to avoid prisoner overcrowding. However, the GOC is now reconsidering, as an additional story on each of the two single-story buildings would increase prisoner capacity by 250, for a total capacity of 1,000 prisoners.

Croix-des-Bouquets Pretrial Detention Project

¶9. (SBU) Monfils stated that Canada has moved a pilot project to decrease prolonged pretrial detention in the Croix-des-Bouquets jurisdiction to the top of START's list of post-earthquake priorities, given the destruction of tribunals and the Ministry of Justice. The pilot project would work to assist Haiti's justice sector find ways to reduce prolonged pretrial detention, the major reason for prison overcrowding and one of Haiti's most significant human rights issues. As an example, of the 230 current prisoners in the Petion Ville women's prison, only 27 have been convicted. Monfils noted that the project has cleared the first step of a two stage approval process, and states that the project is "almost approved."

¶10. (U) START will use Avocats Sans Frontieres (Lawyers without Borders) Canada for project implementation. START believes, and NAS concurs, that Canada's legal system is the closest match to Haiti's unique hybrid legal system, which has elements of both the French Napoleonic code and English common law. NAS asked Monfils to evaluate whether Avocats Sans Frontieres would have the capacity

to expand the project to other regions, and Monfils agreed to investigate this possibility.

¶11. (SBU) COMMENT: Given the GOH's repetitive and identical requests to different donors for corrections sector assistance, it is clear that the donor community must take the lead in coordinating assistance. MINUSTAH is still rebuilding its own capacity to lead and coordinate. NAS, the UK, and Canada agree that the principal donors need to work together with the GOH to determine immediate priorities and options. NAS will organize a post-level coordination meeting with DFID, START, and MINUSTAH, in order to prepare a consolidated corrections sector recovery plan to offer to the GOH. END COMMENT.

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